

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GABINO GENAO,

Plaintiff,

v.

CITY OF NEW YORK; CAPTAIN OMAR  
SMITH; CAPTAIN MAKEDA ANDERSON;  
WARDEN JEAN RENÉ; ADJUDICATION  
CAPTAIN PHILLIPS; WARDEN SHARLISA  
WALKER; CORRECTION OFFICER  
ANDREW SMART-CHARLES; OSIU DEP'T  
LILWANNA GLOVER,<sup>1</sup>

Defendants.

**AMENDED ORDER OF SERVICE**

20 Civ. 8721 (ER)

RAMOS, D.J.:

On October 16, 2020, Gabino Genao brought this action, *pro se*, pursuant to 42 U.S.C. § 1983, alleging that the City of New York (the “City”) and several correction officers violated his constitutional rights with their handling of a disciplinary infraction while he was incarcerated on Rikers Island. Doc. 2. Plaintiff’s Complaint was brought against several named Department of Corrections officers and two John or Jane Doe defendants. *Id.* On December 15, 2020, the Court requested that the named defendants waive service of summons and ordered the City to ascertain the identities and badge numbers of the Jane or John Doe defendants and to provide this information to Plaintiff and the Court within sixty days, pursuant to *Valentin v. Dinkins*, 121 F.3d 72, 26 (2d Cir. 1996). Doc. 8. On February 15, 2021, the City timely responded and provided the identities of Adjudication Captain Kelecia Phillips, Shield No. 1448, and the OSIU Chief Assistant Deputy Warden Lilwania Glover, Shield No. 1310. Doc. 14.

On October 22, 2021, Plaintiff filed an amended complaint naming Captain Phillips and

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<sup>1</sup> The City’s response to the Court’s *Valentin* order identifies this individual defendant as OSIU Chief Assistant Deputy Warden Lilwania Glover, sued herein as OSIU Dep’t Lilwanna Glover.

OSIU Chief Glover as defendants. Doc. 50. On November 5, 2021, defendants City of New York, Anderson, René, Smart-Charles, Smith, and Walker answered. Doc. 51. Defendants Captain Phillips and OSIU Chief Glover have not answered, nor is there any indication on the docket that they have been served.

The Court therefore requests that Captain Phillips and OSIU Chief Glover waive service of summons.

The Clerk of Court is respectfully directed to mail a copy of this Order to Plaintiff:

Gabino Genao, NYSID No. 04570951M, B&C No. 1131700734  
North Infirmary Command, 15-00 Hazen Street  
E. Elmhurst, New York 11370.

It is SO ORDERED.

Dated: November 9, 2021  
New York, New York



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Edgardo Ramos, U.S.D.J.